

REMARKS

The Office Action dated 05/12/2008 has been fully considered by the Applicant.

Claims 16 and 17 have been currently amended. Claims 5, and 7-8 have been previously presented. Claims 1-4, 6, and 9-15 have been canceled. New claim 18 has been added. Support for new claim 18 can be found on Page 5, second paragraph, Page 8, last paragraph, and Page 9, first and second paragraphs.

A proposed additional drawing is attached. Proposed Figure 6 places the process of the invention in the form of a Flow Chart and no new matter has been added. Support for proposed new Figure 6 can be found on Page 5, second paragraph, Page 8, last paragraph, and Page 9 first and second paragraphs.

Claims 5 and 16-17 have been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 5,845,084 to Cordell et al and further in view of United States Patent No. 6,643,641 to Snyder. Reconsideration of the rejection is respectfully requested.

Claim 16 has been currently amended to clarify that Applicant's third condition of data retrieval is aborted during the retrieval of data. Examiner Stork's comments are noted with respect to Cordell and the third condition of a data retrieval being stopped by the user. It appears that the Examiner has interpreted this condition as preventing a data retrieval happening in the first place, which is what Cordell describes, wherein the retrieval of background images is stopped to speed up the display of the web page. However, the aforementioned condition is actually directed at the stoppage of a data retrieval during that retrieval, and Applicant's claim 16 has therefore been amended to replace 'stopped' with 'aborted' to reflect the same.

The Examiner concedes on page 3 of the Office Action that Cordell fails to disclose storing data for display prior to displaying any of the data until a predetermined event occurs. Instead, the Examiner contends that Snyder discloses storing data in a buffer, thereby preventing display until an event occurs. In fact, Snyder does not disclose a reformatting process but is a web searching process which stores parts of web pages which generates extracts of web pages found.

Examiner Stork further states that Snyder discloses storing data in a buffer, thereby preventing the data from being displayed until an event occurs, which triggers display of the data stored within the buffer and that therefore it would have been obvious to one of ordinary skill in the art to combine Snyder with Cordell, since it would have allowed a user to receive the prefetched webpage data, thereby allowing for more rapid display of web page data.

Applicant respectfully disagrees that the Snyder patent discloses that following selection of a web page and that data is being received by a browser, the reformatting data for display of the selected web page by the browser is prevented until one or more conditions are satisfied. Instead, the collected information from downloaded files which is stored in a buffer memory in the Snyder patent is processed according to a generally conventional text processing or categorizing technique to build a text or descriptor index in a database (see Col 9, lines 54-65). General conventional processing techniques are required in the Snyder method. Applicant teaches of a non-conventional prevention of reformatting data for display until one or more conditions are satisfied.

Applicant sincerely believes that the Snyder patent does not teach or disclose Applicant's limitation that following selection of the web page and the data being received by a browser, the reformatting data for display of the selected web page by the browser is prevented until one or more conditions are satisfied. Therefore Applicant respectfully requests reconsideration of the rejection.

Applicant respectfully reminds the Examiner that all of the claim limitations must be taught in the cited references. The MPEP 2143.03 states the following:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art.

Independent claim 17 has been currently amended to clarify that when a user accesses a website, at least a part of the web page is displayed when sufficient data has been received, but reformatting of that web page is prevented until a predetermined amount of data has been received to reduce the number of reformats required. If the amount of data received does not reach the level of the predetermined amount, the page may be reformatted after a predetermined period of time instead.

The Examiner concedes on page 3 of the Office Action that Cordell fails to disclose storing data for display prior to displaying any of the data until a predetermined event occurs. Instead, the Examiner contends that Snyder discloses storing data in a buffer, thereby preventing display until an event occurs. In fact, Snyder does not disclose a reformatting process but is a web searching process which stores parts of web pages which generates extracts of web pages found.

Applicant respectfully disagrees that the Snyder patent discloses that following selection of a web page and that data is being received by a browser, the reformatting data for display of the selected web page by the browser is prevented until one or more conditions are satisfied. Instead, the collected information from downloaded files which is stored in a buffer memory in the Snyder patent is processed according to a generally conventional text processing or categorizing technique to build a text or descriptor index in a database (see Col 9, lines 54-65). It is just such general

conventional processing techniques that are required in the Snyder method. Applicant teaches of a non-conventional prevention of reformatting data for display until one or more conditions are satisfied.

Applicant sincerely believes that the Snyder patent does not teach or disclose Applicant's limitation that following selection of the web page and the data being received by a browser, the reformatting data for display of the selected web page by the browser is prevented until one conditions are satisfied. Therefore Applicant respectfully requests reconsideration of the rejection.

As for dependent claim 5, Examiner Stork has stated Cordell discloses the limitations similar to those in claim 17 however Cordell fails to specifically disclose wherein when an event occurs in the reception of data that would conventionally cause an immediate reformat of the web page the facility notes the highest y-coordinate point or level in the displayed page that would be affected by the reformat and commences the time interval. The Examiner states, however, that Cordell mentions a similar process (Cordell Col 13, lines 1-58) and that it would have been obvious to one of ordinary skilled in the art to apply Cordell 084 to Cordell, providing Cordell the benefit of determining the highest level of the displayed page affected to ensure the correct format of the page.

Applicant respectfully disagrees and requests reconsideration of the rejection.

Dependent claim 5 provides for the step of the browser determining and noting the highest y-coordinate point or level in a displayed page and commencing a timer.

Neither of the Cordell patents disclose a browser that determines and notes a highest y-coordinate point or level in the displayed page. In addition, neither of the Cordell patents further disclose the use of the noted highest y-coordinate point or level for commencing a time interval.

Instead, in the '372 Cordell patent the browser estimates the time remaining until an existing persistent connection is available and the time for creating a new persistent connection to the remote site. The browser then compares these times at a step 136. Preferably, the browser bases the estimates on the most recent historic time or times for creating a connection to the remote site and for downloading a resource from the remote site on a connection. Specifically, the browser times creating each persistent connection to the remote site on the historic time taken to create a connection to the remote site. (See Col 13, lines 1-58).

It is difficult to understand how a person skilled in the art would look toward the '372 Cordell patent to find a solution to prevent a typical reformatting of a web page from occurring by determining a highest y-coordinate point or level in the displayed page and utilizing that noted point or level to commence a time interval. The '372 Cordell patent browser estimates the time remaining until a connection is available and the time for creating a new persistent connection to a remote site. Nowhere is it disclosed in the '372 Cordell patent to determine and utilize a highest y-coordinate point or level in a displayed page to start a time interval to prevent reformatting.

The '084 Cordell patent provides several alternatives for handling requested data, none of which disclose Applicant's use of determining a highest y-coordinate point or level in the displayed page and utilizing that noted point or level to commence a time interval to prevent reformatting from occurring.

In one '084 Cordell alternative heuristic is to make a data request and to set an internal timer. If the timer expires before embedded graphic images or unknown size are downloaded, the receive data rate is characterized slow, and a placeholder is rendered. (see Col 7, lines 16-20). There is no use of determining a highest y-coordinate point or level in a displayed page and utilizing that noted point or level to commence a timer, as in Applicant's invention.

Another '084 alternative heuristic is to identify the available bandwidth for receiving data before sending any data requests. If the available bandwidth for receiving data is small, then the receive data transfer rate is characterized as slow. In this case, an immediate switch to the placeholder mode will be completed. (See Col 7, lines 21-29).

It is difficult to understand how a person skilled in the art looking at the '084 Cordell patent would learn that determining a highest y-coordinate point or level in a displayed page could be noted and further used to commence a time interval which activates storage of further data received during the commenced time interval to prevent the browser from reformatting the web page.

Keep in mind that the Cordell patents are not concerned with preventing the reformatting of a web page, they are concerned with how to cause the reformat to occur.

Additionally, the Examiner concedes on page 3 of the Office Action that Cordell fails to disclose storing data for display prior to displaying any of the data until a predetermined event occurs. Instead, the Examiner contends that Snyder discloses storing data in a buffer, thereby preventing display until an event occurs. In fact, Snyder does not disclose a reformatting process but is a web searching process which stores parts of web pages which generates extracts of web pages found.

In summary the combination of Cordell(s) and Snyder, taken together, does not equal the claimed invention. Therefore Applicant sincerely believes that claim 5 is not disclosed or suggested in the cited references and respectfully requests reconsideration of the rejection.

Claims 7 and 8 have been rejected under 35 USC 103(a) as being unpatentable over Cordell, and further in view of United States Patent No. 5894554 to Lowery et al.

Claim 7 depends on dependent claim 5 which further depends upon independent claim 17. Applicant believes that dependent claims 7 and 5 are patentable over the cited references for the same reasons as stated above. Applicant respectfully requests reconsideration of the rejection.

Claim 8 depends upon dependent claim 7 which further depends upon claim 5 which depends upon independent claim 17. Applicant believes that dependent claims 8, 7 and 5 are patentable over the cited references for the same reasons as stated above. Therefore, Applicant respectfully requests reconsideration of the rejection.

Claim 18 is a new claim that provides for an internet web browsing method comprising the steps of: (a) identifying and receiving data for a web page in response to instructions from a user; (b) processing the received data by a browser to generate a web page; (c) displaying at least a part of said web page corresponding to a first portion of data; (d) determining and noting a highest y-coordinate point or level in the displayed portion of the web page and commencing a timer; (e) storing any further data received during a time interval of the commenced time and preventing the browser from reformatting the web page while the browser receives further data; (f) reformatting the selected web page from the top of the highest y-coordinate point only after a predetermined amount of data has been received by the browser or after the predetermined time interval has elapsed since a previous reformat of that web page to reduce the number of reformats required in displaying the web page as data is received; and displaying the reformatted web page.

Applicant sincerely believes that the subject matter in new claim 18 is not taught or disclosed in the combination of the cited references taken alone or together. None of the cited references combined or taken alone teach of a web browsing method having as some of steps of displaying at least a part of a web page having a first portion of data and determining and noting a highest y-

coordinate point or level in the displayed portion and commencing a timer, storing any further data received during the time interval of the commenced time and preventing the browser from reformatting the web page while the browser receives the further data. Thereafter, reformatting the selected web page from the top of the highest y-coordinate point only after a predetermined amount of data has been received or after the predetermined time interval has elapsed since a previous reformat of that web page.

Therefore, Applicant believes that claim 18 is novel and in condition for allowance.

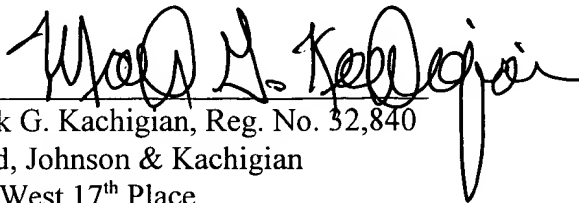
It is believed that the foregoing is fully responsive to the outstanding Office Action. If, for any reason, the claims are not in condition for allowance, it is because of a mistake or a misunderstanding of the Office Action and in such case, the Examiner is invited to call the undersigned at (918) 587-2000 so that any remaining amendments to place the application in condition for allowance can hopefully be achieved in a telephone interview.

If any further charges or refunds are associated with this application, the Commissioner is hereby authorized to charge Deposit Account No. 08-1500.

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Respectfully submitted,

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